1   ZACHARY J. ALINDER (State Bar No. 209009)
     E-Mail: *zalinder@sideman.com*
2   PAULINE T. TSENG (State Bar No. 322311)
     E-Mail: *ptseng@sideman.com*
3   SIDEMAN & BANCROFT LLP
     One Embarcadero Center, Twenty-Second Floor
4   San Francisco, California 94111-3711
     Telephone: (415) 392-1960
5   Facsimile: (415) 392-0827

6   Attorneys for
     CISCO SYSTEMS, INC. and CISCO TECHNOLOGY, INC.
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8   **UNITED STATES DISTRICT COURT**

9   **NORTHERN DISTRICT OF CALIFORNIA**

10   **SAN FRANCISCO DIVISION**

11

12   IN RE: DMCA SECTION 512(h)   Case No.
     SUBPOENA TO DOMAINS BY PROXY,
13   LLC   **CISCO SYSTEMS, INC. AND CISCO**
                                             TECHNOLOGY, INC.'S REQUEST TO
14   **THE CLERK FOR ISSUANCE OF A**
                                             SUBPOENA PURSUANT TO 17 U.S.C. §
15   **512(h) TO IDENTIFY ALLEGED**
                                             INFRINGERS
16

17   Petitioners CISCO SYSTEMS, INC. and CISCO TECHNOLOGY, INC. (collectively

18   "Cisco"), by and through their undersigned counsel of record, hereby request that the Clerk of the

19   Court issue a subpoena directed to Domains By Proxy, LLC ("Domains By Proxy") to identify an

20   alleged infringer or infringers behind several listings, pursuant to the Digital Millennium

21   Copyright Act ("DMCA"), 17 U.S.C. § 512(h) (the "Subpoena").

22   The Subpoena relates to several listings hosted by Domains By Proxy's platform which

23   Cisco has determined contain infringing material. The infringing material includes, without

24   limitation, offers to sell software licenses which have not been authorized for sale or distribution

25   by Cisco.

26   Cisco has satisfied the requirements for issuance of the Subpoena pursuant to 17 U.S.C. §

27   512(h), in that it has:

28

     2835-258\4789236v1   1   Case No.
     CISCO'S REQUEST TO THE CLERK FOR ISSUANCE OF A SUBPOENA PURSUANT TO 17 U.S.C. § 512(h) TO
                                  IDENTIFY ALLEGED INFRINGERS

1   (1)   Submitted a copy of a notification required by 17 U.S.C. § 512(c)(3)(A) for each of

2   the identified listings. *See* Exhibit A to this Request.

3   (2)   Submitted a proposed Subpoena concurrently herewith. *See* Exhibit B to this

4   Request.

5   (3)   Submitted a sworn declaration confirming that the purpose for which the Subpoena

6   is sought is to obtain the identity of the alleged infringers and that such information

7   will only be used for the purpose of protecting rights under 17 U.S.C. § 512. *See*

8   Exhibit C to this Request.

9   Because Cisco has complied with the statutory requirements, Cisco respectfully requests

10   that the Clerk of the Court expeditiously issue and sign the proposed Subpoena pursuant to 17

11   U.S.C. § 512(h)(4) and return it to undersigned counsel for service on the subpoena recipient.

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13   DATED: July 15, 2021   SIDEMAN & BANCROFT LLP

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15   By: _____

16   Pauline T. Tseng
                                               Attorneys for CISCO SYSTEMS, INC. and
17   CISCO TECHNOLOGY, INC.

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CISCO'S REQUEST TO THE CLERK FOR ISSUANCE OF A SUBPOENA PURSUANT TO 17 U.S.C. § 512(h) TO
IDENTIFY ALLEGED INFRINGERS

LAW OFFICES
SIDEMAN & BANCROFT LLP
ONE EMBARCADERO CENTER, 22ND FLOOR
SAN FRANCISCO, CALIFORNIA 94111-3711